

MINUTES OF REGULAR MEETING OF THE CITY OF SAN JUAN COMMISSION

DATE: Tuesday, August 10, 2021

TIME: 6:00 p.m.

PLACE: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589

MEMBERS PRESENT: Mario Garza, Mayor
Leonardo “Lenny” Sanchez, Mayor Pro-Tempore
Jesus “Jesse” Ramirez, Commissioner
Ernesto “Neto” Guajardo, Commissioner
Marco “Markie” Villegas, Commissioner
Ricardo Palacios, City Attorney

STAFF PRESENT: Benjamin Arjona, City Manager
Diana Cavazos, City Secretary
Carlos Alaniz, Assistant Chief
Ruben Morin, Chief of Police
Leroy Gonzalez, Director of Finance
Adelaida Cordero, Director of Human Resources
Armandina Sesein, Library Director
Patrick Willingham, Director of Parks & Recreation
Roberto Escobar, Director of Planning
Juan Soto, Sanitation Supervisor
David Salinas, Director of Utilities
Mary Enriquez, Court Administrator
Pat Karr, Director of Information Technology

ORDER OF BUSINESS

I. CALL MEETING TO ORDER

Mayor Mario Garza called meeting to order at 6:00 p.m.

II. INVOCATION

Benjamin Arjona, City Manager led the Invocation.

III. PLEDGE OF ALLEGIANCE

Mario Mario Garza led the Pledge of Allegiance

IV. PUBLIC COMMENTS:

DISCUSSION: Mr. Rene Jaime, Purchasing Clerk stated I just want to let you all know here in person that 2 weeks ago I turned in my resignation and tomorrow’s my last day. I want to let you know that I really appreciated working for the City of San Juan for the past 10 ½ years, I just grew up just down the road right here, I appreciate all the support and help I got from my coworkers and I was really was touched by the very positive and supportive responses that I’ve gotten from my coworkers I make plans to leave. Additionally, I want to take this opportunity to thank each member of the commission that reached out to me when my mother and father passed away back in July 2020, you know that really meant a lot to me and it meant a lot to my family and my father would’ve really appreciated it being a former elected official. It’s just been a great experience; great learning experience and I just want to let you all know in person. Mayor Mario Garza stated thank you, for your service, we really appreciated.

V. PRESENTATIONS

- A. Presentation on Department Reports: Department of Planning and Zoning, Department of Parks and Recreation, San Juan Memorial Library and Department of Sanitation.

DISCUSSION: Mayor Mario Garza asked Mr. Patrick Willingham, Director of Parks and Recreation were we able to modify the ordinance and all that, to which Mr. Willingham responded yes, it’s been modified the changes that we talked about.

VI. PUBLIC HEARINGS

- A. Hold a Public Hearing for a Conditional Use Permit to Allow “The Industrial Ballroom” Event Center located at 1200 E. Business 83 Suite 1201, legally described as Lots 122 – 125, VIP East Subdivision, as Requested by Johnny Rodriguez.

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DISCUSSION: Mr. Robert Escobar, Director of Planning and Zoning stated Mr. Rodriguez is applying for a conditional use permit to operate an event center at a commercial plaza located at Business 83 and Sunchase Street. The commercial plaza was built in 2005 with approximately 20,000 square feet. A rehabilitation center and Premier High School are located in the same plaza. Parking lot is available along the North and East side of the building; a total of 75 parking lots are available. Applicant must agree to pay an annual fee to maintain the conditional use permit with the city. Staff mailed a notice of the public hearing before the Planning and Zoning Commission to Thirty-one (31) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

Mayor Mario Garza opened the public hearing at 6:06 p.m. There being no comments from the public, the public hearing was closed at 6:07 p. m.

Commissioner Ernesto “Neto” Guajardo made motion to approve and was seconded by Mayor Mario Garza. Motion Passed. (5-0).

- B. Hold a Public Hearing on the Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC) of the following properties:
- M.L. Woods Co. Tract No. 3 E165'-N200' Lot 6 and W10'-N200' Lot 7 0.80 AC GR 0.72 AC NET
 - M.L. Woods Co. Tract No. 3 E115.35'-W125.36'-N100' Lot 7, 0.26 AC
 - M.L. Woods Co. Tract No. 3 S100'-E115.35'-W125.36'-N200' Lot 7, 0.26 AC
 - M.L. Woods Co. Tract No. 3 E151.64'-N200' Lot 7 & W14.43'-N200' Lot 8, 0.76 AC GR, 0.69 AC NET
 - M.L. Woods Co. Tract No. 3 N290.4'-E75'-W89.43' Lot 8, 0.50 AC GR 0.47 AC NET
 - M.L. Woods Co. Tract No. 3 E5.35 AC Lot 10 EXC 0.53 AC 4.82 AC NET
 - Alamo Land and Sugar Co. 4.54 AC AN IRR TRBEING E 502'-N788.5' Lot 2 Block 35, 4.13 AC NET
 - Alamo Land and Sugar Co. AN IRR TR S140.2'-N356.05'-W178'E188' Lot 2 & NEC 0.29 Lot 2 & W118'-N229' Lot 3 Block 35, 1.20 AC NET
 - Alamo Land and Sugar Co. E87'-W250'-N280' & S71'-N300'-W118' Lot 3, Block 35, 0.75 AC
 - Alamo Land and Sugar Co. E100'W305'-N300' Lot 3, Block 35
 - Alamo Land and Sugar Co. E60'-W660' Lot 3, Block 35, 1.82 AC GR, 1.79 AC NET, as Requested by the City of San Juan.

DISCUSSION: Mr. Robert Escobar, Director of Planning and Zoning stated It's 11 properties related to changing from Single-Family residential to Expressway Corridor District, pretty much all the properties where rezoned changed to expressway corridor but there was these 11 that were left out. They were also part of the study and at that time nobody really came to the public hearing to say that they didn't want it, I believe they just left them out because there was open land and there were some homes in those properties but as the cities developed the city wants to go ahead to move that to phase 2 to don't change these properties to expressway corridor district and I'm going to go through all 11 properties just so you know what's on the properties right now. So, the first one, there's an existing home which is dilapidated and it was actually recently demolished at this time, property 2 Emerald Woods 0.26 that's an existing home, property 3 that's a 0.26 -acre that's also an existing home, number 4 Emerald Woods 0.76-acres that's an existing home as well, property number 5 that's a 0.472-acres that's an existing home, property 6 4.82-acres that's an existing home with also farmland its open land, property number 7 4.13-acres that's existing home and also brush land so there's mesquite trees, property 8 that's 1.20-acres that's farmland as well, property 9 0.75-acres that's actually owned by the City of San Juan, property 10 lot 3 block 35 that's also farmland and then property 11 4.79-acres and that's Fireman's Park currently today. Also, what we're doing when one of the zone changes to expressway corridor district to open it for commercial development, currently these homes that are existing since they're already there, they're grandfathered so the city can't touch them they stay as is. It's just in the future when it does develop if 10-15 years down the road when they do purchase it, they buy that out if the property owners want to sell and all that will be for expressway corridor district and there's a public hearing I don't know if anyone is here at the time.

Mayor Mario Garza opened the public hearing at 6:09 p.m.

Mr. Herbert Wesling, Owner of Lot 2 Block 35, stated we have a Single-Family home and as he said its brush land, that I manage for wildlife on the 4 acres, he asked Mr. Escobar, who is requesting these changes to which Mr. Escobar, responded the city. Mr. Herbert Wesling, Owner of Lot 2 Block 35, asked so it's not an individual landowner, there's no plans for any construction or anything to which Mr. Escobar responded, at this time, no. Mr. Herbert Wesling, stated we're going to be grandfathered in on our current use of our property for the house. I guess I have a couple of questions if my house burned down would I be able to rebuild a house on its exact location to which Mr. Escobar, responded the city would make an exception on that. Mayor Mario Garza asked in reference to his question, if his house were to burn down God forbid right, well the commission come in and decide whether they can grant him I'm speaking on my behalf if his house were to burn down, I really think that we can come in or my opinion I feel like we need to go ahead and continue giving him the grandfathered clause deal to where he can just go up and build. But to

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answer your question the Commission has the authority to determine whether we can. Mr. Rick Palacios, City Attorney stated If that were to happen the commission can grant variance and allow you to rebuild your residential home. Herbert Wesling, asked would it remain the same with future commissioners. Mayor Pro Tem Leonardo "Lenny" Sanchez, added That's the question I was going to ask, can we make it official or come back by motion. Mayor Pro Tem Leonardo "Lenny" Sanchez, added I would say if we do something we do it all together as one if something of natural disaster, house fire it should be up to the point where it's rebuilt the same way anything extra like you said, like a bigger building additional to the actual structure that you have or the foundation and then understand would default the grandfather clause but if it's a natural disaster I don't think all these properties should be held at that point where they lose out. Emilio Villanueva Jr. Resident stated I have the first property actually the one that Mr. Escobar is aware and his cooperation I'm on the demolition I have completed demolition of the house and I'm in the process of starting my new home going through the city with the parliament and everything been working on the plan looking forward to making some changes and to build my dream home, gotten any letters or anything from the city about the plans that the city had and it was mentioned in the Planning and Zoning meeting. So, I just wanted to emphasize that is what is happening right now on my particular land and I'm aware that once I build my home then whatever happens after that might be different. Mr. Escobar, stated what he's basically saying is before we did the zone change, he submitted plans to construct so he's allowed to build because he submitted before the zone change. Mayor Mario Garza, added this doesn't pertain to him. Mr. Robert Escobar, stated well Block 1 is his and it's in the zone change expressway corridor but since he submitted plans before we changed it, he's allowed to build his home.

Mayor Mario Garza close the public hearing at 6:19 p.m.

Mayor Pro Tem Leonardo "Lenny" Sanchez made to motion to approve with the conditions we specified on, such as on the grandfather clause and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (5-0).

VII. ORDINANCES

- A. Reconsideration of the Rezoning Request from Single-Family Residence District (R-S) to Neighborhood Commercial District (C-1) at the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite Subdivision, as Requested by Maria Guadalupe Garcia.

DISCUSSION: Mr. Robert Escobar, Director of Planning and Zoning stated the applicant is trying to rezone her lot into Neighborhood Commercial District (C-1). The Comprehensive Plan establishes this property as residential use. If approved, the building would need to comply with the city's requirements, as applicable. The surrounding properties consist of mixture of residential and commercial uses. Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-seven (27) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

Mr. Robert Escobar stated this is located on 1st Sinopole and Raul Longoria so they actually appealed the decision that the city commission had at the last meeting, they're requesting that review it again due to parking and some of the issues that were discussed on the traffic they submitted a new plan. Mayor Mario Garza asked what difference was it from the first time to now, to which Mr. Escobar responded one issue was that they were talking about parking, and also that traffic she thought that the city is kind of not discriminating but saying that since there's traffic there, she can't have her business she's wanting to appeal that. Mr. Benjamin Arjona, City Manager added the only way we can bring this back is if there's a legitimate reason that something was not discussed during the discussion and he's speaking about the parking area that was not discussed as far as parking area in the so that's why he brought before you all. Mr. Escobar stated there's room for more parking but once she applies for a book if it does get zone changed when she applies for the building permit, she's going to have to build a parking. Commissioner Marco "Markie" Villegas asked if we pass this and nothing gets done, we want businesses going with making sure that we make the motion that those things will be covered that way everybody's taking care of. Commissioner Adina "Dina" Santillan stated the problem with that street is that there's only a certain amount of time and there's no shoulder so that during school hours we just had an issue and a couple of complaints in the last few days regarding, that's separate. The thing with that road that there's no shoulder so during those peak hours, so say she has a high peak hour during that time now we have normal traffic going east and west then we have the school traffic stalled then we already have people blocking entrances to recycling we don't have any type of individuals directing traffic so now she's going to have that issue plus the city's issue on top of that plus the school issues. So, it's a safety issue on top of that so I'm looking at the picture so I'm not sure how she's going to be having going in and out, I don't want her not having to open up her business. Mayor Mario Garza asked Mr. Escobar to please guide them to what they are going to need and meet their requirements.

Mayor Pro Tem Leonardo "Lenny" Sanchez made to motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0).

- B. Consider Adoption of an Ordinance Amending Chapter 1 General Provisions, Article 1.05 Administrative Fees, Section 1.05.006 San Juan Memorial Park, Section 1.05.007 Mayfield Park, and Section 1.05.009 Parks and Recreation of the City Of San Juan's Code of Ordinances to

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Consolidate all Provisions Related to Parks and Recreation Fees Under Section 1.005.006, to be Renamed as Parks and Recreation Fees and to Include Additional Related Fees for the San Juan Sports Complex and the San Juan Municipal Park; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for a Severability Clause; and Providing for a Repealer Clause.

DISCUSSION: Mr. Patrick Willingham, Director of Parks and Recreation stated basically, what it has is the updates or the changes that were asked to go back in and review from the last meeting, which was under park facility rental fees number 3 on San Juan Municipal Park, we had it at \$300 per field per day and that went up to \$500 on a tournament rental. And then down under the multi-purpose field if it's a ticketed or private event that one went from \$1500 to \$3000 so we can ensure that the place the fields are clean, trash is picked up, everything is taken care of without adding fees, its our park its our facility so we just get it done right away by the next morning its clean.

Commissioner Ernesto "Neto" Guajardo made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0).

VIII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS:

- A. Preliminary and Final Plat Approval of the Plaza San Juan Subdivision being an 8.41-acre tract of land and part of Lot 1, Acura Subdivision and part of Lot 6, San Juan Corners/St. Ives Subdivision, as Requested by Javier Hinojosa Engineering.

DISCUSSION: Robert Escobar, Planning and Zoning Director stated the developer is proposing to subdivide 8.41-acre tract along East Interstate Highway 2, just East of the Acura Dealership, into four (4) commercial subdivision. The proposed subdivision is located in a flood zone "C" according to the FEMA Map. Water and sewer services will be provided by the City of San Juan. Additional fire hydrants shall be located every 300 feet of existing fire hydrant and water line shall be looped to the 8-inch water line as per San Juan Fire Department requirements.

Commissioner Marco "Markie" Villegas made motion to approve and was seconded by Mayor Pro Tem Leonardo "Lenny" Sanchez. Motion Passed (5-0).

- B. Discussion and Consider Proposed Tax Rate for the City of San Juan for Fiscal Year Beginning October 1, 2021 to September 30, 2022 and Set Public a Hearing.

DISCUSSION: Benjamin Arjona, City Manager stated we're very proud to present tonight at after extensive talks, Mayor united had something back actually a year ago the plan was to lower half cent in property taxes it was something that Mr. Leroy was nervous about but it came down to the point where actually the cities went extremely well. Mr. Leroy Gonzalez, Director of Finance stated we were able to bring the sales tax down to about half a cent and there's a correction on propose tax rate 0.6876 which will exceed the effective tax rate of 0.6928 so in that case if it does succeed, we need to schedule a public hearing which is scheduled for the next meeting of August 24th at 6:00 pm do notice that last year we had to have two public hearings this year would just be one public hearing." Benjamin Arjona, City Manager added last year the city would be 503, 099 if you lower than half cent, we would be recouping 442,059 which is a difference of maybe about 60,000 and we should be in good financial stability for this coming fiscal. Mayor Mario Garza stated next year we're doing another half a cent if we're standing so we're crossing our fingers the way we're going it sees we may be able to do that next year another half a cent.

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Mayor Mario Garza. Motion Passed (5-0).

- C. Consider Awarding RFP No. 21-08-08-02 for the Purchase of Sodium Chlorite to JCS Industries, Inc., from Houston, Texas in the Amount of \$6.87 per gallon, in an Amount Not to Exceed \$30,000 and Authorize the City Manager to Execute all Related Documents and Budget Amendment as Needed.

DISCUSSION: Mr. David Salinas, Director of Utilities stated we went out for bids as part of the annual renewal for the contracts unfortunately, this year the chemicals at the end of September so we had to call for renewals which will take effect October 1st, we are recommending JCS Industries they are cheaper plus they deliver in short time periods 72 hours but they're also willing to deliver on weekends, our current vendor is Iboga they were just a cent over but they are 120 hour delivery time so we decided to go with JCS.

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Commissioner Adina "Dina" Santillan. Motion Passed (5-0).

- D. Consider Authorizing the City Manager to Declare Surplus and Salvage Property of Scrap Metal and Brass Consisting of Old Valves, Fire Hydrants, Check Valves, Sheet Metal, Water Meters, and C Channel Metal.

DISCUSSION: Mr. David Salinas, Director of Utilities stated we are requesting that the items that are listed, we'll get more money off of trying to auction off as brass rather than try to salvage it along with some of the vehicle listed in there and some of the pumps.

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Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (5-0).

IX. CONSENT AGENDA

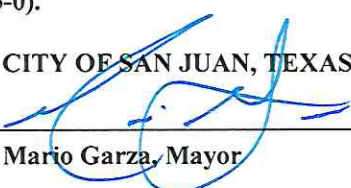
- A. Consider Second and Final Reading of an Ordinance on the Negotiated Resolution Between the City of San Juan and Texas Gas Service "TGS" Regarding the Company's April 29, 2021 Cost of Service Adjustment Filing; Declaring Existing Rates to be Unreasonable.
- B. Budget Expenditure Report-June 2021
- C. Quarterly Investment Report-June 2021

Mayor Pro Tem Leonardo "Lenny" Sanchez made motion to approve and was seconded by Commissioner Marco "Markie" Villegas. Motion Passed (5-0).

X. ADJOURNMENT 6:36 p.m.

Commissioner Marco "Markie" Villegas made motion to adjourn at 6:36 p.m. and was seconded by Commissioner Ernesto "Neto" Guajardo. Motion Passed (5-0).

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Mario Garza, Mayor

ATTEST:



Brenda Escalante, Interim City Secretary